Previous references.
Ch 159-07 1-2
Ch 174-08 1-2
Ch 262-07 1-4
Ch 30-08 1-6
Ch 65-08 1-4
Ch 173-10 1-2
Later references.

1912-13
(Courts)

File No. 46-12

Serial Nos. 1-4.

Ch 229-n
Proc. Dep no 71-C9

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4.

Part B. for March 13

SUBJECT.

Execution of the decree of the Bangalore Additional Munsiff in the Miraj State.

Table of Contents.

1/M 14/8/13

From the Regr Ch. Cl No 598 of 13.8.12 forwards for execution in the Miraj State copy of the decree in O.S. No 426 of 1911-12 on the file of the Additional Munsiff of Bangalore.

2 of the 7.A Resident No pol 243 of 21.9.12 forwards a copy of a decree with the necessary certificate and enquires whether the Miraj state would authorize its courts to execute decrees passed by Civil courts of the Mysore State and add that this Durbar would be prepared to concede reciprocity in this matter to the Miraj state.

3 From the 7.A. Resident No. 1285 of 25th Feb. 13. G.B.S. 58 states that the Miraj Senior state have agreed to have reciprocity with the Mysore Durbar in the matter of execution of decrees passed by Civil courts and that the Govt of Bombay have accorded their sanction to the proposal. It adds that the decree recd with Sl 2 has been transmitted to the Miraj Durbar for execution.

C.F.

4 To the Regr Chief No J 2686 dy 11.3.13

Communicate, the facts mentioned in the previous serial
statute, that a note under Sec 44 of the Civil Proc Code 1911
will separately be issued authorising the Courts in Mysore
to execute the decrees passed by the Civil Courts of Travancore
Senior State.

H U Srikantiah
11.8.13

G.R.S. 11] 1912-13.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

Cls File No. 46-12.

FILE HEADING.

Execution of the decree of the Bangalore Research Additional Munsiff in the Miraj State

From The Registrar, Chief Court of Mysore.

No. 598/41 Dated 13.8.12. Received 15.8.12.

Diary No. 1457	Enclos. Decree Spare Copies.	Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Forwards for execution in the Miraj State. Copy of the decree &c in O.S. No 426 of 1911-12 on the file of the Additional Munsiff of Bangalore.

NOTES AND ORDERS.

Please see routine notes below.
Hag 22.

Subj. There are no precedents to show that our Court decrees have ever been executed in the Miraj State. But it will be seen from the Collections put up below, that we have been complying

NOTES—First Sheet.

GPB—30,000—12-8-11

C R. S. 12]

General and Revenue Secretariat.

Cls File No. 46 of 1912-13

Serial No.

with their requisitions so far at least as civil processes are concerned. It is not therefore perhaps too much to look for reciprocity in a little more important and but kindred matter, Viz., the execution of decrees. The Additional Munsiff of Bangalore, who passed the decree in question forwarded it direct to the District Judge's Court Miraj for execution. It was thereupon returned as it had not gone through the proper Channel. It may perhaps now be transmitted through the Residency. Draft Subd.

(Provision is made in S. 44 of our Civil Procedure Code in regard to this matter)

Per Contra.

Please see Cls File No 173-10. Flag A.

Hcs-122
2018/12. SM(II)
21/9/12

Please see opinion in file No 173-10

Please put up Dy. to Cs

Rejected as appellate

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

C R. S. 12]

General and Revenue Secretariat.

Ch File No. 46 of 191 V

Serial No.

2 In a similar case when the Subordinate of Mysore requested the transmission of a decree for execution in the Jodhpur State Govt refused to do so in the absence of precedent and information as to the laws in that State. Please see file no 173-10 below.

3 The remarks of the "Sir Nyadiksh" in the case now under consideration seems to show that there is will be no objection to the execution of the decree in Miraz State if sent thro' the proper channel.

4 The draft may therefore perhaps

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

4

(R. S. 12]

General and Revenue Secretariat.

b File No. 46 of 1912

Serial No.

Draft

21/8/12

Sec'y 5

If we want him to take steps to enforce our decrees, we must be prepared to grant reciprocity in this matter. This will have to be explained in the letter to the Residency.

23
22/8/12

635- 1st Comm.

SJOC

23/8/12

b How do you know that a Court in Nyadiksh has power to enforce such decrees?

7

Ass Sec'y (Mr Hranicka) 24/8/12

I have no personal knowledge of the Nyadiksh's letter that the only objection he had was to the Channel of Communication.

Chamberlain

Manager

NOTE—Contn. sheet.

23
28/8/12

GPB—65,000—17-6-12.

SJC
28.8.12

R. S. 12]

General and Revenue Secretariat. | C5 File No. 46 of 1912/13

Serial No.

9 Please put up draft (Note the Reg[d] Engraving) whether the Mysore State would be prepared to Authorise its Courts to Execute decrees passed by Civil Courts in the Mysore State and that this Durbar would be prepared to Concede reciprocity in the matter.

3/9/12

10

Draft Subs

A.G. 6/9/12

(S.S.) 7/9/12

11 a draft is put up as per personal instructions of the Secretary for approval or otherwise.

7/9/12

See)

NOTE—Comtn. sheet.

GPE—60,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

Ab File No. 46 of 191 2

Serial No.	
1	Draft submitted for approval & Sheri-D orders: 1st Cinnakan 23 9/9 SA 10/9/12
	13 Draft appd 10/9/12 Hrw
	3406 13-9-12 Dewan. 11/9/12
	23 12/9 SA 12/9/12
	14 Draft appd by Dewan Hrw 3/9 Hrw 10/9/12
	23 19/9
	15 Hrw SA 19/9/12
2	To The 7th A. Resident No Pol 243 dy 21-9-1912 Forwards a copy of the decree with the necessary certificate and enquires whether P.T.O

NOTE--Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat.

65 File No. 46 of 1912-13

Serial No.	
	the Miraj State would authorize its courts to execute decrees passed by Civil courts of the Mysore State and adds that this Durbar would be prepared to concede reciprocity in this matter to the Miraj State.
3	From the H. A. Resident No 1285 dt 25th Feb 1913
	States that the Miraj Senior State have agreed to have reciprocity with the Mysore Durbar in the matter of execution of decrees passed by civil courts and that the Govt of Bombay have accorded their sanction to the proposal and adds that the decree read with Sl 2 has been transmitted to the Miraj Durbar for execution.
	(b) Subd with a draft to the Registrar, Chief Court, intimating the fact mentioned contained in para 3 of Sl 3.
	17 In Sl 2 the Residency was intimated that this Durbar would be prepared to concede reciprocity in the matter of execution of decrees to the Miraj State. As that State has now agreed to the proposal, a notification under Sec^n 44 of the Civil procedure Code is Subd for orders in the linked file.

NOTE—Contn. sheet.

Kg.-129 3/3 SW Dy Sec^y SOK 4/3

GPS—20,000—20-1-12

[G. R. S. 12]

General and Revenue Secretariat.

Cs File No. 4 of 1912.

Serial No.	
	18) Draft for approval. — Dwijendra Nath Das 4/3 SPR (1st Councillor)
	19) Draft apld by 1st Councillor 6/3/13
2351	WS 7/3 Dwn 7/3.
B 19/3	20) Issue J.P.R. 7/3
4	To the Registrar Chief Court. No J2686 of 4-3-13. Communicates the facts mentioned in the previous Serial; and states that a Notification under Sec 44 of the Civil Procedure Code 1911 will separately be issued authorising the Courts in Mysore to execute the decrees passed by the Civil Courts of the Dhiraj Sarkar State.

NOTE—Contn. sheet.

GPE—65,000—17-C-12.

No 598 Jud: Decree Copy etc.
41

Bangalore,

13th August, 1912
14 Aug.

From

The Registrar of the
Chief Court of Mysore.

To

The Offg: Secretary to Government,
General and Revenue Departments.

Sir,

I am directed to forward a copy of the decree and the necessary certificates in O. S. No. 425 of 1911-12 (Execution case No. 764 of 1911-12) on the file of the Additional Munsiff's Court, Bangalore, and to request that the same may be sent for execution to the District Judge's Court, Mirza State, Bombay Presidency, through the British Resident at Kolhapur.

I have the honor to be,
Sir,
Your most obedient servant;

REGISTRAR.

K.P.

17.

2/

2

G. R. S. 26]

C. File No. 46-12.

Serial No. 2.

Diary No. of letter replied to———

Pol No. 243/Enclosure one file.

General and Revenue Secretariat

( )

, *the* 191 .

To

The First Assistant to the Resident

Date of issue 21. 9. 1912

Signed by Sir K. P. Srinivasaiengar.

Sir,

I am directed to forward herewith a Copy of the decree with the necessary certificate in O.S. N° 426 of 1911-12 (Execution Case N° 764 of 1911-12) on the file of the Additional Munsiff's Court, Bangalore, and

Enc: one file

over.

SUBJECT.

to ~~expressed~~ request that the Durbar may be kindly informed whether the Miraj State would be authorize its Courts to execute decrees passed by Civil Courts of the Mysore State. I am to state that this Durbar would be prepared to concede reciprocity in this matter to the Miraj State.

I have &c.

7/7 Secy to Govt.

7/9/12

List of enclosures.

Copied by

Examined by

GPB—25,000—8-8-11.

III
25/2.

Pol & No 1471 & 25.2.13. DIARY No. J 2357

10/2-10/3
SECTION -C5
FILE No. 46 of 1912-13
SERIAL No. 3

No. 285

FROM

P. B. WARBURTON, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 25th February 1913.

SIR,

I am directed to acknowledge the receipt of Mr. Srinivasiengar's letter No. 243 Pol., dated the 21st -- September 1912, regarding the question of execution by courts in the Miraj State of decrees passed by Civil -- Courts in Mysore.

2. In reply, I am to say that intimation has been received that the authorities of the Miraj Senior State -- have agreed to have reciprocity with the Mysore Durbar in the matter of execution of such decrees and that the -- Covernment of Bombay have accorded their sanction to the proposal.

3. The decree in O.S. No. 426 of 1911-12 on the file of the Additional Munsif's Court, Bangalore, forwarded with Mr. Srinivasiengar's letter of the 21st September 1912 has accordingly been transmitted to the Miraj -- Durbar, through the Political Officer concerned, for execution.

I have the honour to be,
Sir,
Your most obedient servant,

P B Warburton
First Assistant Resident.

R. O. 2—R. P. B.—1-1913—500.

2/3

4

E/8

ale

G. R. S. 26]

65 File No. 467
1912-13
Serial No. 4

Diary No. of letter replied to

No. J 2686

General and Revenue Secretariat

( )

, the 191 .

To

The Resident,

Chief Court

Date of issue 11-3-13

Signed by om S.P. Rajagopalachar

Sir,

Adverting to your letter no. 598/41, dt the 13th Aug 1912, forwarding a copy of the decree passed by the Addl. Munsiff, Bangalore, for transmission to the Miraj State for execution, I am directed to ~~intimate~~ inform you that intimation has been received from the Residency that the decree in question has been sent to the

p.T. over.

SUBJECT.

Secy

Miraj Dunbar for execution.

I am to add that the Authorities of the Miraj Senior State have agreed to have reciprocity with the Mysore Dunbar in the matter of execution of such decrees; ~~which may hereafter be sent direct to the Court concerned in that State for execution.~~ A notification under Sec. 44 of the Civil Procedure Code 1911 will therefore be separately issued authorising the Courts in Mysore to execute the decrees passed by the Civil Courts of that State

I have &c

Sd/-

for Offg Secy to Govt

Dwn 4/3/13

SW 3/3/13

KG.—129 3/3

6/3/13

List of enclosures.

Copied by C.N. 15/3

Examined by

GPB—25,000—8-8-11.